

Title 196 - NEBRASKA DEPARTMENT OF ENVIRONMENTAL QUALITY

Chapter 5 - ACTION PLANS; DEPARTMENTAL APPROVAL OR DENIAL

001 The Director shall approve or deny the adoption or amendment of an action plan within one hundred twenty days after the date the plan is submitted by the district. The date of submittal shall be the date the Department receives the plan.

002 The Director may hold a public hearing, pursuant to Title 115 - Rules of Practice and Procedure, to consider testimony prior to issuing an order approving or disapproving the adoption or amendment of an action plan.

003 In reviewing the action plan for adoption or amendment, the Director's considerations shall include, but not be limited to:

003.01 Whether it reasonably appears the education program and protective measures, including best management practices, identified in the plan will mitigate or eliminate the condition causing ground water contamination which led to the designation of a management area, modification of the boundaries of a management area, or the requirement of an action plan for a management area;

003.02 Whether the adoption or amendment of the plan will improve the administration of the area;

003.03 The feasibility of administratively implementing the plan or amendment; and

003.04 Whether the time schedule is reasonable to implement the protective measures.

004 If the Director approves the plan, it shall become effective on the date of his or her signature.

005 If the action plan is not approved, the Director shall issue an order listing the reason or reasons why the action plan was not approved. If the action plan is not approved, a district may submit a revised action plan within sixty days after denial of its original action plan to the Director for approval.

Enabling Legislation: Neb. Rev. Stat. § 46-656.42

Legal Citation: Title 196, Ch. 5, Nebraska Department of Environmental Quality

For more information, contact
MoreInfo@NDEQ.state.NE.US

Nebraska Department of Environmental Quality
1200 "N" Street, Suite 400
PO Box 98922
Lincoln, NE 68509
(402)471-2186 fax: (402)471-2909